

*BR***MARCH 17, 2008**MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURTUNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**RECEIVED**JAN 11 2008 *new*  
Jan 11, 2008MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURTDevelle Spencer  
(Develle Remond Spencer)(Enter above the full name  
of the plaintiff or plaintiffs in  
this action)

vs.

08CV262  
JUDGE HART  
MAGISTRATE JUDGE NOLANCase No. \_\_\_\_\_  
(To be supplied by the Clerk of this Court)Chicago Police Officer: Walsh #5273,  
Sebastian #10342, Sgt. Stephen T.  
Pietzak.Chicago Police Dept. 8<sup>th</sup> Dist.  
City of Chicago.(Enter above the full name of ALL  
defendants in this action. Do not  
use "et al.")**CHECK ONE ONLY:****COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983**  
U.S. Code (state, county, or municipal defendants)**COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE**  
**28 SECTION 1331 U.S. Code (federal defendants)****OTHER (cite statute, if known)****BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR  
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

I. Plaintiff(s):

- A. Name: Mr. Develle Remond Spencer  
B. List all aliases: Philip Owens, Eric Hedges  
C. Prisoner identification number: CCJ.20060097519/Pen.B-45254  
D. Place of present confinement: C.C.J. Cook County Jail.  
E. Address: P.O. Box 089002, Chicago, IL 60608

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: P.D. Walsh-Badge # 5273  
Title: Chicago Police Officer - # 5273  
Place of Employment: Chicago Police Dept. - Eighth District  
B. Defendant: Mr. Sebastian, Badge # 10342  
Title: Chicago Police Officer - # 10342  
Place of Employment: Chicago Police Dept. Eighth District  
C. Defendant: Sgt. Stephen T. Pierzak  
Title: Sergeant  
Place of Employment: Chicago Police Dept. Eighth District

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

X

Defendant: Stephen T. Piertzak

Title: Sergeant

Place of employment: Chicago Police Dept. 8<sup>th</sup> District

E. Defendant: City of Chicago Police Department

Title: Eighth District Police - Law enforcement

Place of employment: 8<sup>th</sup> District

F. Defendant: City of Chicago

Title: Metro politan

Place of employment: City Hall

**III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:**

A. Name of case and docket number: N/A

B. Approximate date of filing lawsuit: \_\_\_\_\_

C. List all plaintiffs (if you had co-plaintiffs), including any aliases: \_\_\_\_\_

\_\_\_\_\_

D. List all defendants: N/A

\_\_\_\_\_

E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): \_\_\_\_\_

F. Name of judge to whom case was assigned: N/A

\_\_\_\_\_

G. Basic claim made: N/A

\_\_\_\_\_

H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): N/A

\_\_\_\_\_

I. Approximate date of disposition: \_\_\_\_\_

**IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.**

**IV. Statement of Claim:**

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph.** (Use as much space as you need. Attach extra sheets if necessary.) Misuse of, and abuse of power warranted through job position held...

"Police Misconduct" was render ON December 20th 2006 When in my attempt to make it home (walking) to paroled address, 7040<sup>5</sup> Maplewood, from 72<sup>nd</sup> and Western<sup>ave</sup> Convenient store and gas station. Enroute of destination, Plaintiff - Develle Spencer was stopped by Chicago's City Police . 8<sup>th</sup> Dist. Officers - Sebastian #10342 and, Walsh #5273, searched" and placed into the back seat of their squad alongside another individual, in civilian clothes, whom was beside police cruiser upon stopping Mr. Spencer. After been approached, searched and tied to; Officer told Mr. Spencer, he would be let go and given a contact card if he hasn't any warrants. While waiting for clearance, Officers (Walsh) spoke with partner Sebastian #10342 - Walked to opposite side of vehicle to let the initial civilian out of the backseat, alongside Plaintiff Mr. Spencer. This civilian later learned as Jacqueline Kidd. Officer Walsh #5273, then proceed to remove items from this civilians person... 3 silver watches, Roles of coin currency and paper currency Appx. 5 to 6 roles of coin currency. - later discovered as proceeds

from a crime - This civilian was then let go. Officers Walsh brought and placed mentioned items in Police Vehicle front seat... before this Misconduct was displayed Officers Walsh #5273, Sebastian #10342, had discovered that the Plaintiff at that time was on Parole and had been recently released from Cook County's jail also... These officer's then drove Plaintiff Mr. Spencer up the block to a crime scene, that being a store ~~that~~ had broken window front, then into its alley, where a garbage bin stood to the side, full of similar items removed from initial civilian, Jacqueline Kidd.

At this point back up was "then" called. This part being one of the same units that came into contact with the arresting unit just after removing Civilian #1 (J.K.) from the cruiser. Then also being the officers to transport me to the 8th Dist. Police station, for the offense of Burglary... My 4, 14, 5, 8<sup>th</sup> Amendments has been violated, on this incident through and by officers of this City who shall work for Chicago's Police Dept... Evidence was removed from one person, being the initial suspect of the crime, and used to convict me - Mr. Spencer - as evidence against Me - Mr. Spencer in trial for a crime I did not commit Police Misconduct manifested by Officers Walsh #5273 Sebastian #10342, Planting of evidence <sup>#5273</sup>, giving false testimony, deprive Plaintiff of his freedom #10342, On December 20, 2006.

Police Misconduct/Corruption). . . On December 20<sup>th</sup> 2006; While at the police station, being detained for false charges of Burglary. The Investigating officer - civilian clothes. mild attempt to interrogate plaintiff admonishing him (Mr. Spencer) of the charges being brought against him. At this plaintiff openly stated the he no longer wish to speak and would like to call O.P.S.. This Investigator stated "fatchance" of that; because you're not getting a phone call. (At approximately 9:30 AM. to 11:00 AM on or about these hrs. The plaintiff was taken into the booking area) while waiting to be taken to booking and immediately after Investigate's denial of my phone call. I, the plaintiff, requested for a, "white-shirt", A supervisor.) Hrs. later I was escorted to booking with the arresting officers and an awaiting white shirt for that shift.. 10:00 AM. I relayed the violation that of which I was experiencing by the unfriendly - characters of, from his department members. I then asked for a phone A verbal agreement ("OK") was granted. Relaying his response to Booking officer at that time: "A permit that went unheard." for two full days. I did not receive a phone call at this establishment. It took for me to "get ill" and be transported to Holy Cross hospital, Emergency Room ISO - 12/22/06. 2701 W. 68<sup>th</sup> Street. Registration No.s (MR # 88-50-41) ~~Deville~~ Spencer - Deville - 00032392300 - ER. Escorted by officers of the Department in question. Here is where I pleaded with the physician whom signed my discharge and medication form, to call my father - 1-630-966-6370/272-7534, and relay the message that of police misconduct/corruption, that these Police dept. refuse to let me make a phone call and has put a case on me. The emergency Room Discharge form Register No. ISO - MR# 88-50-41. The Doctors Signature isn't legible

Spencer, Deville  
00032392300 ER  
09/3/71 035Y M BA  
ERCP, 12/22/06.

However the nurse at that time name Read: Y Norman.

I was then taken to the police dept. then later transported to Cook County Jail where the Emergency Dept. Discharge instruction form was handed over and filed into C.C. files. I requested via grievance officer, a copy of this form.

Corruption:

CITY OF CHICAGO Department of Police

Sgt. Stephen Piertzak, in response to Complaint register # 1002215, O.P.C  
On 01/17/07 a letter was written to Plaintiff informing him that an investigation has been initiate and a meeting for interview was conducted. in the early parts of Feb. 2007. here in the Cook County Jail. This meeting consist of three parties . Develle Spencer - (the Plaintiff), Sgt. Stephen Piertzak and a 3rd representator for outside relations. While being interviewed for the allegation toward members under Sgt. Piertzak's watch. I learned that Sgt. Piertzak may not be to my best interest in this investigation. The comments this Sgt. made during our interview, left me with the impression "to be hopeful" - of a fair - non-bias investigation. I explain how a surveillance tape at the gas station would reveal supporting footage toward my complaint of false arrest on Officers Sebastian # 10342 , Walsh # 5273. and that also in support of are documents recorded at the county jail Trust fund. and there is a Police Pod or Pawn Camera to also help. To all, negative response were given by Sgt. Piertzak. My immediate concern lead me to write a letter reporting Officer's bias behavior and nonchalant regards / comments, on the evening of our interview. Addressed and mail (3510 S. Michigan Ave) 4 month after new discoveries lead me to attempt contact. Sgt. Stephen Piertzak. via My C.R.W. Div: 5 Social Worker - Margrett Howonneic. The Sgt: response was "quot Sgt. Piertzak doesn't want to talk to you, or need to talk to you. The information wa of a witness newly discovered. Not any attempts was made toward my "interest", No interview of witnesses both old and newly discovered, No viewing of gas statio footage, nor Police Pod/Pawn footage. No view of financial recorded document - At Cook Co. unity Jail trust funds office. All of which confirms my previous concerns derived during interview. Sgt. Piertzak's comments "quote", "Mr. Spencer, I'm not here to get you off, I know the officers in question. I am here to make sure "My" officers didn't do anything wor

Numerous letters were written to no avail about this entire incident involving all 3 parties, until 11/15/07. Notifying me that an investigation has been order. Misconduct against members of Chicago Police Dep

• 4<sup>th</sup>. Claim, 4<sup>th</sup>:  
 - Paragraph: A

# City of Chicago Employee Liability, Harrassment

## The City's orientation-training:

The officer's were trained upon requirement of employment

- for the City. Misconduct, direct neglect of duty, infidelity -
- to sworn oath inattribute to personal relation, brotherly bond,
- participation in corrupt activities, deprivation of liberty,
- Cruel and unwarranted penalty, and arrests without lawful justification.
- Were not of interest of the City's training, as well as purpose of employment. It is employee's of City of Chicago - with certified training-actions of a non-
- professional manner while on duty as a professional law enforcer
- for the City of Chicago. Acting in numerous <sup>harrasment</sup> violation + rendering fear toward that I have confidence in being protected by
- as a ~~citizen~~ citizen equally... My prior trespass across the law doesn't warrant me non "equal protection of the law."
- I feel threaten because of these sworn to oath and uphold all
- that I'm <sup>2nd</sup> equally entitled to. On December the 20<sup>th</sup> <sup>2006</sup> and then thereafter

November 14<sup>th</sup>. 2006. Arrested without lawful justification. harrassment by the City's law enforcement agency do to my past criminal status and current or not parole status. Should not, do not mean I am to be arrested. November 14<sup>th</sup> arrest for the offense of burglary attempt failed, attempt #2. of Misconduct a success corruption. December 20<sup>th</sup>. 2006. 16 days apart from release of first Attempt.

Denelle Spencer

On December 2<sup>nd</sup> of 2006, It is through the employee's of the city of Chicago, a numerous of my inalienated right as a United States citizen has been violated. Once Chicago Police officers took my freedom, without just cause - stop me, search me, took my money and count out the amount using that figure as evidence against me. (4<sup>th</sup>, 5<sup>th</sup> Amendment) were violated. Officer's of Chicago's 8th District police Department. Ofc. Walsh # 5273 and Ofc. Sebastian #10342 abusive use of power rendered me to suffer a disturbing experience of living conditions so improper and uncomfortable that it is not decent, even to the average citizen, here in the county jail cell. The cruelty of being placed in a cell formally designed for (2) two occupants, without heat-during the winter months, and no plumbing-work water in the sink or toilet. Urine and excrement feces filled the toilet. Me, being the 3rd occupant, was conditioned to the floor. With only a foamed mattress and inadequate bedding materials where the coldness is at its worse. For what reason I have been cheated of my privileges as a citizen? The City's Police Officers takes the law and enforce it as fit to their satisfaction - became the law with little to no regards to abridging me of fairness my freedom has been taken. Officer's of this sort acting outside their training set for comfort and peace to be held for the citizen. Abates my regards to the confidence of being protected by the law to actually feeling that I am in danger. When those sworn of an oath to uphold the law break the law. (8<sup>th</sup>, 14<sup>th</sup> Amendment were violated)

Denelle Spence

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Submission of an Apology, \$120,000  
each - Surrender of their Badges, 2,000,000<sup>00</sup>  
from the City

VI. The plaintiff demands that the case be tried by a jury.  YES  NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Develle R. Spencer

(Signature of plaintiff or plaintiffs)

Develle R. Spencer  
(Print name)

20060097519

(I.D. Number)

P.O. Box 089002

Chgo, IL 60608

Div. 11 (Cook County Jail.)  
(Address)